

**REMARKS****SUMMARY:**

The present application sets forth original claims 1-26, of which claims 1 and 14 are independent claims. Amendments have been submitted and requested entry for claims 1 and 14.

Previously Presented and Original claims 1-26 stand rejected under 35 U.S.C. 112, first paragraph as allegedly failing to comply with the written description requirement. Previously Presented and Original Claims 1, 2, 6, 11, 14, 15, 19 and 24 stand rejected under 35 U.S.C. §103(a) as being allegedly obvious over U.S. Patent No. 6,087,930 (Kulka et al.) or U.S. Patent No. 5,731,754 (Lee, Jr. et al.) taken in view of newly cited U.S. Patent No. 5,749,984 (Frey et al.) and at least one of newly cited U.S. Patent No. 5,228,686 (Maleyko) and newly cited U.S. Patent No. 6,438,193 (Ko et al.). Original claims 3 and 16 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Kulka et al. or Lee, Jr. et al. taken in view of Frey et al.) and at least one of Maleyko and Ko et al. and further in view of U.S. Patent No. 6,474,380 to Rensel et al. Original claims 4, 5, 7-10, 12, 13, 17, 18, 20-23, 25 and 26 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Kulka et al. or Lee, Jr. et al. taken in view of Frey et al.) and further in view of Patent Application Publication 2004/0159383 (Adamson et al.).

Responses to the rejections summarized above are hereafter provided with respect to each individual argument presented by the Examiner.

**REJECTION OF CLAIMS 1-26 (35 U.S.C. §112, FIRST PARAGRAPH):**

The recent advisory action indicates that, upon reconsideration in light of Applicants' previous comments, that the portion of the rejection relating to claim 1 regarding possession /support for the concept of coupling at least one pair of

connecting terminals has been overcome. The portion of the rejection relating to the use of the terms "at least a portion of at least one" was said to still apply. By amendment here presented, Applicants have proposed to delete the first recited "at least" and submit that the claim as now presented clearly avoids the issue raised by the Examiner.

**REJECTION OF CLAIMS 1, 2, 6, 11, 14, 15, 19 and 24 (35 U.S.C §103(a))**

Previously Presented and Original Claims 1, 2, 6, 11, 14, 15, 19 and 24 stand rejected under 35 U.S.C §103(a) as being allegedly obvious over U.S. Patent No. 6,087,930 (Kulka et al.) or U.S. Patent No. 5,731,754 (Lee, Jr. et al.) taken in view of newly cited U.S. Patent No. 5,749,984 (Frey et al.) and at least one of newly cited U.S. Patent No. 5,228,686 (Maleyko) and newly cited U.S. Patent No. 6,438,193 (Ko et al.).

The present subject matter is generally concerned with a mounting patch and electronic tire monitoring assembly configured to provide mounting of the combination in a tire. The patch is configured so as to embed a power source (a battery) to which is coupled at least one pair of terminals in rubber. The power source and a portion of the terminals are cured into the rubber and an electronic tire monitoring assembly is attached to a portion of the terminals extending outside the cured rubber patch.

This approach differs from the applied prior art from the standpoint that the prior art, notably both Kulka et al. and Lee, Jr. et al. disclose mounting devices that completely enclose both the power source and the monitoring assembly within the cured rubber. Issues have been raised with respect to the concept of providing external terminals in Kulka et al. or Lee, Jr. et al. for the purpose of charging a patch mounted battery by providing terminals extending through the patch while retaining the electronics assembly within the patch. These raised issues pointed out the desirability of being able to recharge the battery and the convenience of such taken with the

interpretation of the previous claims that such an approach did not exclude the concept of retaining the electronics within the patch.

By the presently present amendments to claims 1 and 14, Applicants have attempted to point out that what is cured into the rubber is the battery and a portion of the terminals connected to the battery and that the electronics are coupled to the portion of the terminals that extend outside of the cured rubber so that the electronics is positioned outside of the cured rubber. Thus the present language in the last two lines of both claim 1 and 14 reciting "coupling an electronic tire monitoring assembly to the pair of connecting terminals outside the cured rubber."

In light of the above comments, Applicants respectfully submit that the presently present claims should be allowed over the cited art. Acknowledgement of the same is earnestly solicited.

**REJECTIONS OF CLAIMS 3-5, 7-10, 12, 13, 16-18, 20-23, 25 and 26 (35 U.S.C. §103(a)):**

With respect to claims 3-5, 7-10, 12-13, 16-18, 20-23, 25 and 26: Based on the arguments presented above with respect to previously submitted claims 1 and 14, Applicants submit that such claims should be allowed over any combination of Kulka et al., Lee, Jr., et al., Frey et al., Maleyko, Ko et al., Rensel et al. and Adamson et al.. Since claims 3-5, 7-10, 12-13, 16-18, 20-23, 25 and 26 variously depend from otherwise allowable claims 1 or 14 and further limit same, claims 3-5, 7-10, 12-13, 16-18, 20-23, 25 and 26 should also be allowed. Acknowledgement of the same is earnestly solicited.

**CONCLUSION:**

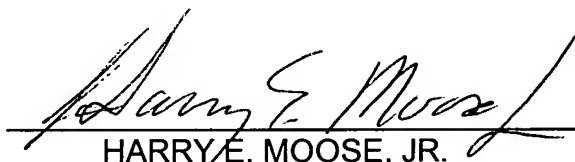
Inasmuch as all outstanding issues have been addressed, it is respectfully submitted that the present application, including claims 1-26, is in complete condition for issuance of a formal Notice of Allowance, an action to such effect is earnestly solicited. The Examiner is invited to telephone the undersigned at his convenience should only minor issues remain after consideration of this response in order to permit early resolution of the same or if he has any questions regarding this matter.

Respectfully submitted,

DORITY & MANNING,  
ATTORNEYS AT LAW, P.A.

October 13, 2006

Date

  
HARRY E. MOOSE, JR.  
Registration No. 51,277

P. O. Box 1449  
Greenville, South Carolina 29602-1449

Telephone: (864) 271-1592  
Facsimile: (864) 233-7342